



fraunh01.028

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(fraunh01.028)

**Applicant:** Luo, et al.

**Paper No.:** 6

**Application No:** 10/019,827

**Group Art Unit:** 2623 ✓

**RECEIVED**

**Filed:** 5/21/02

**Examiner:** Dastouri, Mehrdad

**JUL 09 2004**

**Title:** *Authenticating executable code and executions thereof*

**Technology Center 2000**

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Assistant Commissioner for Patents  
Washington, DC 20231

**Response to first Office action under 37 C.F.R. 1.111**

**Summary of the prosecution**

This patent application is the US national phase of PCT/US00/13117, filed 5/12/00 and claiming priority from U.S. provisional patent applications 60/133,840 and 60/133,848, both filed 5/12/99. An International Preliminary Examination under PCT Chapter II was requested in the application and the claims as filed were found to meet the requirements of PCT Article 33(2)-(4).

In his first Office action, Examiner found that the claim number 17 had been used for two different claims. Examiner corrected the error by renumbering the sequence of claims 17-27 that began with the second claim 17 as claims 18-28. It is these claim numbers 1-28 that are used in Examiner's Office action and in the following discussion.

Examiner rejected claims 1-4, 6-8, 15-18, and 21 as anticipated by Collberg, et al., "A Taxonomy of Obfuscating Transformations", *Technical Report #148*, Department of Computer Science, The University of Auckland, Auckland, NZ, July, 1997. Applicants are traversing this rejection but are amending their claims to overcome newly-discovered references which were listed in an IDS in this application filed 4/24/04. There remains a possibility that Applicants can prove a date of invention which predates the references,

and should that be the case, Applicants are retaining the right to rescind these amendments.

**Please amend the claims as follows:**